

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FINJAN, INC.,

Plaintiff,

v.

CISCO SYSTEMS INC.,

Defendant.

Case No. [17-cv-00072-BLF](#)

**ORDER STRIKING FINJAN, INC.'S
MOTION IN LIMINE NO. 5 AT ECF
538; STRIKING CISCO SYSTEMS
INC.'S MOTION IN LIMINE NO. 5 AT
ECF 539**

On April 16, 2020, Plaintiff Finjan, Inc. (“Finjan”) and Defendant Cisco Systems Inc. (“Cisco”) each filed five motions *in limine* in violation of the Court’s November 12, 2019 Order on Motions Re Expert Reports. In that Order, the Court clearly stated:

This Court’s Standing Order RE Civil Jury Trials limits each party to five (5) motions *in limine*. In this Order, the Court has ruled on two motions (one on each side), seeking to exclude evidence. Thus, Cisco and Finjan are now limited to four (4) motions *in limine* per party to be filed prior to final pretrial conference in conformity with this Court’s Standing Orders.

ECF 405 at 14. The Court further admonished the parties at the March 26, 2020 hearing on *Daubert* motions, that it found improper the parties’ consistent practice in this case to brief motions *in limine* in the guise of other motions – including *Daubert* motions. *See* ECF 506 at 4:6-10; 13:15-17. Not having reduced further the number of allowed motions *in limine* after hearing the *Daubert* motions, the Court finds the parties’ violation of its November 12, 2019 Order (ECF 405) remarkably disappointing. Accordingly, the Court STRIKES Finjan’s Motion *in Limine* No. 5 and ECF 538 and Cisco’s Motion *in Limine* No. 5 at ECF 539. The Court will, of course, hear oral objections to introduction of evidence at trial. The Court further notes that Finjan’s briefs contain single-spaced footnotes in violation of this Court Standing Order Re Civil Cases. Moving forward, all non-conforming briefs will be stricken in their entirety.

United States District Court
Northern District of California

IT IS SO ORDERED.

Dated: April 17, 2020



BETH LABSON FREEMAN
United States District Judge